

**REMARKS**

Claims 5, 10-12, 14 and 21 are amended. Claims 1-25 remain in the application for consideration. In view of the following remarks and/or remarks, Applicant respectfully requests reconsideration and allowance of the subject application.

## **Examiner Communication**

Applicant and Examiner Czekaj conducted a teleconference on November 7, 2006. During the teleconference, Applicant and the Examiner discussed the §§ 112 and 101 rejections. Applicant and Examiner reached a tentative agreement that the proposed amendments would result in the §§ 112 and 101 rejections being withdrawn.

Applicant and the Examiner also discussed the cited references and the Office's position with respect to the subject claims. Applicant and the Examiner agreed that the preferred course of action is for Applicant to substantively respond to the non-final Office Action and, if a final Office Action is then issued, to conduct another teleconference to discuss advancing the prosecution of this application. No other specific agreements or conclusions were made.

## **§ 112, Second Paragraph, Rejection**

Claim 5 stands rejected as being indefinite under 35 U.S.C. § 112, Second Paragraph, because it allegedly “includes elements not actually disclosed (those encompassed by “and the like”) thereby rendering the scope of the claim(s) unascertainable.”

1        In the interest of advancing the prosecution of this matter, Applicant has  
2        amended claims 5 and 21 to overcome the rejection. Accordingly, Applicant  
3        respectfully requests that the rejection under § 112, second paragraph, be  
4        withdrawn.

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6        **§ 101 Rejections**

7        Claims 10-12 stand rejected under 35 U.S.C. § 101 “because the claims do  
8        not meet the 35 U.S.C. requirements (the claims have improper language  
9        regarding the storage medium).”

10       Applicant respectfully disagrees with the Office’s rejection. Nevertheless,  
11       in the interest of advancing the prosecution of this matter, Applicant has amended  
12       these claims. Accordingly, Applicant respectfully requests that the rejections  
13       under § 101 be withdrawn.

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15       **§ 103 Rejections**

16       Claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being obvious over  
17       U.S. Patent No. 6,744,472 to MacInnis et al. (hereinafter “MacInnis”) in view of  
18       U.S. Patent No. 6,539,059 to Sriram et al. (hereinafter “Sriram”).

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20       **The Claims**

21       **Claim 1** recites a method comprising:

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23       • receiving a command from a decoder application at an application  
24       program interface (API), wherein the API is configured to facilitate  
25       the use of a plurality of different multimedia accelerators with the  
      decoder application; and

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- 2 generating one or more filter control command data structures,  
3 recognizable by a communicatively coupled accelerator including  
4 one or more parameters which, when received by the accelerator,  
5 affects one or more filter settings of the accelerator based, at least in  
6 part, on the content of the received command.

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18 In making out the rejection of this claim, the Office argues that its subject  
19 matter is rendered obvious in view of MacInnis and Sriram. Specifically, the  
20 Office argues that MacInnis discloses all of the features of the claim except for an  
21 application program interface (API). The Office then states “the examiner notes  
22 that the system depicted in figure 1 would require an interface to correctly  
23 operate”. The Office then acknowledges that MacInnis fails to show “the API  
24 configured to facilitate the use of a plurality of accelerators” and instead relies on  
25 Sriram as disclosing an API that is “configured to facilitate the use of a plurality of  
26 different multimedia accelerators with the decoder application”, as claimed. The  
27 Office argues that one would have been motivated to combine the teachings of  
28 these references “in order to obtain an apparatus that is more versatile by being  
29 able to correctly and effectively facilitate the use between multiple processors of a  
30 system.”

31 Applicant respectfully traverses this rejection and submits that the Office  
32 has not established a *prima facie* case of obviousness.

33 First, Applicant submits that the references do not collectively disclose all  
34 of the subject matter of this claim. For example, the *integrated circuit* system of  
35 MacInnis simply does not inherently disclose an application program interface  
36 (API) that would be necessary for it to correctly operate, as the Office contends.  
37 Also, Column 57 (lines 21-37) of MacInnis discusses the capabilities of the

1 graphics accelerator, but not “generating one or more filter control command data  
2 structures”, as claimed.

3 In addition, the monitor processor in Sriram cannot be equated with an  
4 application program interface (API), as that term is used and understood in the  
5 context of the subject application (see e.g. pages 3-4)). In fact, the monitor  
6 processor in Sriram is actually part of the system memory stored on the decoder  
7 itself (see e.g. Sriram, Fig. 1) and is merely a processor that splits picture decoding  
8 into multiple sub-processes of the same process (see e.g. Sriram, Column 7 (lines  
9 49-50) and Column 8 (lines 19-21)). As such, it could not possibly be configured  
10 to facilitate the use of “a plurality of *different* multimedia accelerators...”, as that  
11 term is understood and used in the context of the subject application (see e.g. the  
12 subject application, Pages 4-5) (emphasis added).

13 Second, Applicant respectfully submits that the Office’s stated motivation  
14 “to obtain an apparatus that is more *versatile* by...” is too general and could serve  
15 as the basis for making *any* modification to MacInnis. In other words, it fails to  
16 explain *why* one would be motivated to make this specific proposed modification.  
17 Indeed, the only explanation offered by the Office is that the apparatus would be  
18 more versatile “by being able to correctly and effectively facilitate the use between  
19 multiple processors of a system”. However, Applicant fails to see how this is  
20 relevant to MacInnis, which does not appear to suffer from any deficiency  
21 associated with this proposed modification.

22 Finally, Applicant submits that modifying the integrated chip structure of  
23 MacInnis with the hierarchically regimented decoding system of Sriram would  
24 impermissibly render MacInnis unsatisfactory for its intended purpose and  
25 impermissibly change its principle of operation. (see MPEP 2143.01).

1        Specifically, Sriram teaches a video decoder which includes multiple sub-  
2        processors and a system memory storing a monitor processor to control the sub-  
3        processors. (see e.g. Sriram, Fig. 1). In contrast, the video decoder in MacInnis  
4        does not itself comprise the accelerator or the memory controller. In addition, the  
5        memory in MacInnis is not included on the graphics chip at all (See Figs. 1-2).  
6        Indeed, the architectures of Sriram and MacInnis are so different that even a  
7        cursory inspection shows that modifying McInnis would radically change its  
8        principle of operation and render it unsatisfactory as an integrated chip for  
9        controlling a television display. Simply put, the teachings of MacInnis and Sriram  
10       are too technologically inconsistent for one to have been motivated to combine  
11       them.

12       In view of the above discussion, the Office has not established a *prima  
13       facie* case of obviousness. Accordingly, for at least this reason, Applicant  
14       traverses this rejection and submits that this claim is allowable.

15       **Claims 2-11** depend from claim 1 and are allowable as depending from an  
16       allowable base claim. These claims are also allowable for their own recited  
17       features which, in combination with those recited in claim 1, are neither disclosed  
18       nor suggested in the references of record, either singly or in combination with one  
19       another.

20       **Claim 12** recites a storage medium comprising a plurality of executable  
21       instructions which, when executed, implement an application program interface  
22       (API) to dynamically generate one or more filter control command data structures  
23       in response to a command received from a decoder application, wherein the one or  
24       more filter control command data structure(s) include one or more parameters,  
25       which, when received by a communicatively coupled accelerator, effect one or

more filter settings on the accelerator in accordance with the received command, wherein the API is not specific to any particular multimedia application and/or multimedia accelerator.

4 In making out the rejection of this claim, the Office relies on the same  
5 argument as that proffered for claim 1. Accordingly, for the reasons given above  
6 with respect to claim 1, Applicant respectfully traverses this rejection and submits  
7 that the Office has not established a *prima facie* case of obviousness.

8 In addition, Applicant notes that the Office has not addressed “wherein the  
9 API is not specific to any particular multimedia application and/or multimedia  
10 accelerator.” This is not surprising since the monitor processor (considered an  
11 API by the Office) in Sriram is actually part of the video decoder itself, which also  
12 includes all of the associated sub-processors (which are considered accelerators by  
13 the Office).

14 In view of the above discussion, the Office has not established a *prima  
facie* case of obviousness. Accordingly, for at least this reason, this claim is  
15 allowable.  
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17       **Claims 13-17** depend from claim 12 and are allowable as depending from  
18 an allowable base claim. These claims are also allowable for their own recited  
19 features which, in combination with those recited in claim 12, are neither disclosed  
20 nor suggested in the references of record, either singly or in combination with one  
21 another.

22 **Claim 18** recites a computing system comprising:

- a decoder application to process received media content; and
- an operating system including an application program interface (API), support the media processing, wherein the API generates one

1 or more filter control commands including one or more parameters  
2 which, when received by a communicatively coupled media  
3 processing accelerator, effect one or more filter settings of the  
4 accelerator in accordance with a command received from the  
5 decoder, wherein the decoder application is configured to iteratively  
6 issue configuration commands reflecting various alternative degrees  
7 and methods of decoding acceleration capability until choosing one  
8 that is acceptable to both the decoder application and the accelerator.  
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12 In making out the rejection of this claim, the Office relies on the same  
13 argument as that proffered for claim 1. In addition, the Office relies on Columns 5  
14 (lines 58-67) and 12 (lines 59-63) of Sriram as disclosing “wherein the decoder  
15 application is configured to iteratively issue configuration commands reflecting  
16 ...until choosing one that is acceptable to both the decoder application and the  
17 accelerator”.

18 Accordingly, for the reasons given above with respect to claim 1, Applicant  
19 respectfully traverses this rejection and submits that the Office has not established  
20 a *prima facie* case of obviousness.

21 In addition, Applicant submits that the Office has mischaracterized  
22 Columns 5 and 12 of Sriram. Specifically, these portions simply have nothing to  
23 do with a decoder application that is “configured to *iteratively* issue configuration  
24 commands reflecting various *alternative degrees and methods of decoding*  
25 *acceleration capability until choosing one that is acceptable to both the decoder*  
application and the accelerator”. (emphasis added). These excerpts are  
reproduced below for the Office’s convenience:

26 Data structures are one component of the invention. Data structures  
27 for different block communication and parameter passing have been  
28 chosen according to the bit stream hierarchy. Several factors were  
29 considered in determining the organization of these parameters. Some of

1 the factors are: (1) implementing video decoding using multiple processes  
2 efficiently; (2) efficient argument passing between different compute  
3 blocks; (3) computational efficiency; (4) efficient data flow (minimal data  
4 replication); and (5) good data cache effects.

5 Column 5 (lines 58-67)

6 Any given processing unit (for example, Motion Compensation)  
7 needs only a subset of these parameters. A Macroblock structure is  
8 defined in such a way that all the parameters needed for Macroblock  
9 processing can be found in the MB data structure.

10 Column 12 (lines 59-63)

11 In view of the above discussion, the Office has not established a *prima  
facie* case of obviousness. Accordingly, for at least this reason, this claim is  
12 allowable.

13 **Claims 19-25** depend from claim 18 and are allowable as depending from  
14 an allowable base claim. These claims are also allowable for their own recited  
15 features which, in combination with those recited in claim 18, are neither disclosed  
16 nor suggested in the references of record, either singly or in combination with one  
17 another.

### 18 **Conclusion**

19 All of the claims are in condition for allowance. Accordingly, Applicant  
20 requests a Notice of Allowability be issued forthwith. If the Office's next  
21 anticipated action is to be anything other than issuance of a Notice of Allowability,  
22 Applicant respectfully requests a telephone call for the purpose of discussing an  
23 appeal.

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25 Respectfully Submitted,

1 Dated: 11-8-06  
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By:   
Rich Bucher  
Reg. No. 57,971  
(509) 324-9256